

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS – EASTERN DIVISION

Computron Medical Corporation,

Plaintiff,

v.

07 C 6482

Yellow Transportation, Inc.

Judge Gettleman

Defendant.

Plaintiff's Motion To Remand

Plaintiff moves this Court for entry of an Order remanding this case back to the Circuit Court for the 18th Judicial Circuit, DuPage County, Case No. 07 AR 1749. In support of its motion, Plaintiff states that the state court case has nothing to do with rates covered by the Carmack Amendment 49 USC 14706, but instead is a simple insurance claim dispute brought under the state law theories of negligence, Statutory Fraud, Breach of Contract and § 155 of the State Insurance Code violations. Plaintiff isn't suing Defendant on a quibble about rates or the hauling of the chattel via Yellow Freight trucks, but instead is suing Yellow in its capacity as an insurance company "self insuring" a risk - - - on which a claim was made and ignored. Thus, there is no federal question which would give this Court jurisdiction and the case must be remanded to the cited state court.

WHEREFORE, Plaintiff requests that this Court remand the case back to the DuPage Circuit Court.

s/ William B. Thompson #3123041
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